

**OPINION 1994 (Case 3095)*****Mystacina* Gray, 1843, *Chalinolobus* Peters, 1866, *M. tuberculata* Gray, 1843 and *Vespertilio tuberculatus* J.R. Forster, 1844 (currently *C. tuberculatus*) (Mammalia, Chiroptera): usage of the generic and specific names conserved**

**Keywords.** Nomenclature; taxonomy; Mammalia; Chiroptera; MYSTACINIDAE; VESPERTILIONIDAE; *Chalinolobus*; *Mystacina*; *Chalinolobus tuberculatus*; *Mystacina tuberculata*; *Mystacina velutina*; bats; New Zealand.

**Ruling**

- (1) Under the plenary power the name *Vespertilio tuberculatus* J.R. Forster, 1844 is hereby ruled to be not invalid (under Article 49 of the Code) as a consequence of the inclusion by Gray (1843) of the taxon within the nominal species *Mystacina tuberculata* Gray, 1843.
- (2) The following names are hereby placed on the Official List of Generic Names in Zoology:
  - (a) *Mystacina* Gray, 1843 (gender: feminine), type species by original designation *Mystacina tuberculata* Gray, 1843;
  - (b) *Chalinolobus* Peters, 1866 (gender: masculine), type species by original designation *Vespertilio tuberculatus* J.R. Forster, 1844.
- (3) The following names are hereby placed on the Official List of Specific Names in Zoology:
  - (a) *tuberculata* Gray, 1843, as published in the binomen *Mystacina tuberculata* (specific name of the type species of *Mystacina* Gray, 1843);
  - (b) *tuberculatus* J.R. Forster, 1844, as published in the binomen *Vespertilio tuberculatus* (specific name of the type species of *Chalinolobus* Peters, 1866).
- (4) The name *Mystacops* Lydekker, 1891 is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology (a junior objective synonym of *Mystacina* Gray, 1843).
- (5) The name *velutina* Hutton, 1872, as published in the binomen *Mystacina velutina*, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology (a junior objective synonym of *Mystacina tuberculata* Gray, 1843).

**History of Case 3095**

An application for the conservation of the usage of the names *Mystacina* and *M. tuberculata*, both of Gray (1843), and of *Chalinolobus* Peters, 1866 and *Vespertilio tuberculatus* J.R. Forster, 1844, was received from Drs Hamish G. Spencer and Daphne E. Lee (*University of Otago, Dunedin, New Zealand*) on 11 August 1998. After correspondence the case was published in BZN 56: 250–254 (December 1999). Notice of the case was sent to appropriate journals.

Comments in support were published in BZN 57: 117–118 (June 2000). An opposing comment was published in BZN 57: 172–176 (September 2000). A reply

from the authors of the application was published at the same time (BZN 57: 176) and included the proposal that the Commission use its plenary power to rule that the specific name of *Vespertilio tuberculatus* J.R. Forster, 1844 (currently *Chalinolobus tuberculatus*) is not invalid (under Article 49 of the Code) as a consequence of the inclusion by Gray (1843) of the taxon within the nominal species *Mystacina tuberculata* Gray, 1843.

### Decision of the Commission

On 1 September 2001 the members of the Commission were invited to vote on the proposals published in BZN 56: 253 and 57: 176. At the close of the voting period on 1 December 2001 the votes were as follows:

Affirmative votes — 18: Bock, Böhme, Bouchet, Brothers, Calder, Eschmeyer, Fortey, Halliday, Lamas, Macpherson, Mahnert, Martins de Souza, Mawatari, Ng, Nielsen, Papp, Patterson, Rosenberg

Negative votes — 5: Evenhuis, Kraus, Minelli, Štys and van Tol.

Cogger abstained.

No votes were received from Alonso-Zarazaga, Dupuis, Kerzhner and Song.

Cogger and Nielsen commented that lectotypes or neotypes should be designated for the taxa involved.

### Original references

The following are the original references to the names placed on Official Lists and Official Indexes by the ruling given in the present Opinion:

*Chalinolobus* Peters, 1866, *Monatsberichte der Königlich Preussischen Akademie der Wissenschaften zu Berlin*, 1866: 680. (Published in the serial in 1867 but issued as a separate in 1866).

*Mystacina* Gray, 1843, in Dieffenbach, E., *Travels in New Zealand; with contributions to the geography, geology, botany, and natural history of that country*, vol. 2, p. 296.

*Mystacops* Lydekker, 1891, in Flower, W.H. & Lydekker, R. *An introduction to the study of mammals living and extinct*, p. 671.

*tuberculata*, *Mystacina*, Gray, 1843, in Dieffenbach, E., *Travels in New Zealand; with contributions to the geography, geology, botany, and natural history of that country*, vol. 2, p. 296.

*tuberculatus*, *Vespertilio*, J.R. Forster, 1844, *Descriptiones Animalium quae in Itinere ad Maris Australis Terras per Annos 1772, 1773 et 1774 suscepto . . .*, p. 62.

*velutina*, *Mystacina*, Hutton, 1872, *Transactions and Proceedings of the New Zealand Institute*, 4: 185.